

REMARKS/ARGUMENTS

In response to the Examiner's rejections, the claims have been amended as specified above. None of the amendments add new matter.

More particularly, claims 1, 11, and 20 have been amended to include the limitation that the method of each includes the steps of accepting at least one deposit into the account from at least one depositor, where each deposit has a legal-tender deposit value; notifying the depositor that the deposit has been received in the account; notifying the holder of the account and the account administrator that the deposit has been received; and disclosing the value of the deposit to the account holder only after the account holder has successfully completed a game or activity.

These amendments add no new matter. More particularly, the amendments to claim 1 incorporate the material of claims 9 and 10, which have now been canceled. The amendments to claim 11 incorporate the material of claims 14 and 19, which have now been canceled. These amendments, along with the amendment to claim 20, are supported in the specification at paragraphs 0052, 0055, and 0056. That is, paragraph 0052 discusses that "[t]he deposits in the accounts are linked to a series of games and rewards which teach users, especially children, important things about money." Paragraph 0055 describes a situation in which a user's account receives a deposit from his uncle. The user, Mikey, is notified of the deposit, and then is required to play a game and successfully complete that game to "find" the money. Accordingly, the amendments to claims 1, 11, and 20 add no new matter.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 1-8 and 11-18 under 35 U.S.C. § 102(b) as being anticipated by the e-critter game for teaching personal values and financial responsibility to a child described in U.S. Patent Number 6,729,884 (the Kelton patent).

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 828 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). MPEP § 2131.

Claims 1 and 11 have been amended to include the limitation that the method of each includes the steps of accepting at least one deposit into the account from at least one depositor, where each deposit has a legal-tender deposit value; notifying the depositor that the deposit has been received in the account; notifying the holder of the account and the account administrator that the deposit has been received; and disclosing the value of the deposit to the account holder

only after the account holder has successfully completed a game. Claims 2-8 and 12-18 depend, either directly or indirectly, from claims 1 and 11, respectively, and therefore include the newly-amended limitation.

Kelton does not include this limitation.

Also, as Applicant discussed in its previous response to the Examiner's previous office action, Kelton also does not include the limitation of having a customizable graphic user interface having at least one game linked to a financial account from which a holder of the financial account may "withdraw cash or other legal tender." Kelton makes no mention of an account holder's being able to withdraw cash or legal tender, but rather, only of the ability to trade in that which is stored in the account for goods or other offerings from vendors. Trading points for candy, or even funds for prizes, is not equivalent to *withdrawing legal tender*. Thus, while real money may be deposited into the Kelton account so that the account may contain real money, real money may not be withdrawn from the Kelton account.

For the foregoing reasons, each and every element of claims 1-8 and 11-18, as amended, is not found in Kelton. Thus, Applicant respectfully contends that Kelton does not anticipate claims 1-8 or 11-18.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 9, 10, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Kelton in view of the education and life skills organizer/memory aid described in U.S. Patent No. 5,890,905 (the Bergman patent). The Examiner contends that modifying the e-critter game of Kelton so as to include features taught by Bergman would result in the present invention, with each and every element thereof.

Claims 9, 10, and 19 have been canceled.

Claim 20 has been amended to include the limitation that the deposits received in the accounts have legal-tender deposit value and that one of the steps comprising the method of claim 20 is "disclosing to said account holder said legal-tender deposit value only after said account holder has successfully completed at least one of said variety of desired educational games or activities."

As previously noted, Kelton does not include this limitation. Importantly, as the Examiner noted, "Kelton does not explicitly disclose the feature of notifying a depositor when a deposit has been received in the financial transaction account." *April 18, 2007, Office Action*, ¶ 5. Not only does Kelton not include this limitation, it does not in any way imply this limitation.

Likewise, Bergman does not include or imply this limitation, nor would it, if it were combined with Kelton.

For the foregoing reasons, Applicant respectfully contends that claim 20, as amended, is not obvious over Kelton in view of Bergman.

Conclusion

If the Examiner feels it would advance the application to allowance or final rejection, the Examiner is invited to telephone the undersigned at the number given below.

Reconsideration and allowance of the application as amended is respectfully requested.

DATED this 18th day of October, 2007.

Very respectfully,

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